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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/770,518	01/26/2001	Pierre Messier	CLW 2 0142	5871
24964 7590 07/09/2008 GOODWIN PROCTER L.L.P. ATTN: PATENT ADMINISTRATOR 620 Eighth Avenue NEW YORK, NY 10018			EXAMINER CHORBAJI, MONZER R	
			ART UNIT 1797	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/770,518

Applicant(s)

MESSIER ET AL

Examiner

MONZER R. CHORBAJI

Art Unit

1797

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 April 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 52, 55, 56, 62, 64, 65, 80, 83, 84, 90 and 92-95 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 52, 55, 56, 62, 64, 65, 80, 83, 84, 90 and 92-95 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This Non-final action is in response to the arguments presented on 4/7/08

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 52, 55-56, 62, 64-66, 69-70, 76, 78-80, 83-84, 90, and 92-95 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The disclosure as whole does not reasonably convey to one skilled in the art that the inventors had possession of the particularly claimed ranges in claims 52, 80 and 94-95 that the disinfectant composition flash vaporized so as to leave an essentially dry surface having the anti-microbial agent deposited thereon "within 10 minutes" or "within 5 minutes".

Claim Rejections - 35 USC § 102 or § 103

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 52, 55-56, 62, 64-65, and 94-95 rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Kobayashi et al (U.S.P.N. 5,869,440).

Regarding claim 52, Kobayashi discloses an aqueous liquid flash-dry disinfectant composition (col.1, lines 6-11 and col.2, lines 25-28) for disinfecting an inanimate surface (col.4, lines 50-51 or col.4, lines 66-67 where the surface of a glass tube is treated with the bleach-sterilizing composition). The reference further describes that the composition includes the following required components: a bleaching aqueous solution with hydrogen peroxide base (solution A) and an aqueous solution mainly containing a suitable amount of dicyandiamide for hydrogen peroxide activation and an organic and/or inorganic builder (solution B) that are mixed and kept alkaline (col.2, lines 11-15). Kobayashi goes on to describe that additional components can be added, but are not required components of the basic composition. For example, a hydrogen peroxide stabilizer can be added (col.2, lines 40-41), or an alkali agent can be added (col.3, lines 8-10 and lines 55-56), or surfactants, hydrotropic agent, or solvent or thickener, (col.3, lines 56-58), viscosity improver agents can be added as well (col.4, lines 48-51). The viscosity improver agents are added only when the composition is to be applied to a ceiling surface, a vertical surface or an inclined surface). Furthermore, Kobayashi teaches that ratio of mixing solutions A and B is arbitrary, but the concentration of solution A (hydrogen peroxide) after mixing is between 0.3 to 30 wt%, preferably 0.5 to 6.0 wt%, and the concentration of dicyandiamide (one component of solution B) is between 2 to 20 wt% and the concentration of the builder in the mixture is in the range

of 0.05 to 10.0 wt% (the other component of solution B). For example, one embodiment composition of Kobayashi is as follows: in a 100 gram sample there is 30 grams of hydrogen peroxide, 20 grams of dicyandiamide, 10 grams of inorganic builder, sodium silicate (col.3, line 3 and lines 40-41), 20 grams of ethanol (col.4, line 34) and 20 grams water (col.2, lines 25-27, examples 1-10), adding up to total mass of 100 grams. Using the density values of the respective components at 20 °C, the following calculations are: hydrogen peroxide (30wt% is equal to 25v% that is calculated using the density of hydrogen peroxide at 20°C to be 1.4 g/cm³); dicyandiamide (20 wt% is equal 17 v% that is calculated using the density of dicyandiamide at 20°C to be 1.400 g/cm³); inorganic builder sodium silicate (10 wt% is equal 5 v% that is calculated using the density of sodium silicate at 20°C to be 2.4 g/cm³); ethanol (20 wt% is equal to 30 v% that is calculated using the density of ethanol at 20°C to be 0.79 g/cm³); and water (20 wt% of water is equal to 23 v% that is calculated using the density of water at 20°C to be 1.0 g/cm³). As to the limitation that the flash-dry disinfectant composition is able, once applied onto an inanimate surface to be disinfected, to flash vaporize so as to leave an essentially dry surface having the anti-microbial agent deposited thereon within 10 minutes, since compositions of the scope claim 52 and the disclosure of Kobayashi are physically the same, then both compositions have the same properties. That is depending upon the applied amount of Kobayashi's composition to inanimate surfaces, it is capable of drying within 10 minutes leaving an essentially dry surface having the anti-microbial agent deposited thereon (see MPEP 2112.01, II). In addition, Kobayashi's composition is capable of being sprayed in an aerosol form.

Kobayashi appears to teach that the additive concentrations are arbitrary, with an upper limit of 60%. This appears to encompass applicant's concentrations. However, In the event that on range of ethanol is limited to Kobayashi's teachings that ethanol can be added to the composition at 20 Wt% (equivalent to 30 v%) so that the composition is stabilized at high or low temperatures, it would have been obvious to one of ordinary skill in the art to optimize the amount of ethanol (stabilizer) when the composition is applied to heated surfaces of higher temperatures, in order to insure that the required minimum amount of ethanol is present in the composition upon contact with a heated surface due to evaporation of the composition.

Regarding claims 55-56 and 64-65, Kobayashi composition includes an alkanol of formula ROH wherein R is a group containing 1 to 6 carbon atoms such as the compound ethanol (col.4, line 36).

Regarding claim 62, a one embodiment composition of Kobayashi is as follows: in a 100 gram sample there is 30 grams of hydrogen peroxide, 20 grams of dicyandiamide, 10 grams of inorganic builder, sodium silicate (col.3, line 3 and lines 40-41), 20 grams of ethanol (col.4, line 34) and 20 grams water (col.2, lines 25-27, examples 1-10), adding up to total mass of 100 grams. Using the density values of the respective components at 20 °C, the following calculations are: hydrogen peroxide (30wt% is equal to 25v% that is calculated using the density of hydrogen peroxide at 20°C to be 1.4 g/cm³); dicyandiamide (20 wt% is equal 17 v% that is calculated using the density of dicyandiamide at 20°C to be 1.400 g/cm³); inorganic builder sodium silicate (10 wt% is equal 5 v% that is calculated using the density of sodium silicate at

20°C to be 2.4 g/cm³); ethanol (20 wt% is equal to 30 v% that is calculated using the density of ethanol at 20°C to be 0.79 g/cm³); and water (20 wt% of water is equal to 23 v% that is calculated using the density of water at 20°C to be 1.0 g/cm³).

Regarding claims 94-95, Kobayashi discloses an aqueous liquid flash-dry disinfectant composition (col.1, lines 6-11 and col.2, lines 25-28) for disinfecting an inanimate surface (col.4, lines 50-51 or col.4, lines 66-67 where the surface of a glass tube is treated with the bleach-sterilizing composition). As to the limitations that the flash-dry disinfectant composition is able, once applied onto an inanimate surface to be disinfected, to flash vaporize so as to leave an essentially dry surface having the anti-microbial agent deposited thereon within 10 minutes or within 5 minutes, since compositions of the scope independent claim 52 and the disclosure of Kobayashi are physically the same, then both compositions have the same properties. That is depending upon the applied amount of Kobayashi's composition to inanimate surfaces, it is capable of drying within 10 minutes or within 5 minutes leaving an essentially dry surface having the anti-microbial agent deposited thereon (see MPEP 2112.01, II). In addition, Kobayashi's composition is capable of being sprayed in an aerosol form.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 80, 83-84, 90, and 92-93 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi et al (U.S.P.N. 5,869,440) in view of Petri (EP 0 842 605 A1).

Regarding claim 80, Kobayashi discloses a method for disinfecting (col.1, lines 6-11 and col.2, lines 25-28) an inanimate surface (col.4, lines 50-51 or col.4, lines 66-67 where the surface of a glass tube is treated with the bleach-sterilizing composition), including applying an aqueous flash-dry disinfectant composition in liquid form (col.3, lines 13-18) onto the inanimate surface (for example, col.4, lines 66-67 where the

surface of a glass tube is treated with the bleach-sterilizing composition). The reference further describes that the composition includes the following required components: a bleaching aqueous solution with hydrogen peroxide base (solution A) and an aqueous solution mainly containing a suitable amount of dicyandiamide for hydrogen peroxide activation and an organic and/or inorganic builder (solution B) that are mixed and kept alkaline (col.2, lines 11-15). Kobayashi goes on to describe that additional components can be added, but are not required components of the basic composition. For example, a hydrogen peroxide stabilizer can be added (col.2, lines 40-41), or an alkali agent can be added (col.3, lines 8-10 and lines 55-56), or surfactants, hydrotropic agent, or solvent or thickener, (col.3, lines 56-58), viscosity improver agents can be added as well (col.4, lines 48-51. The viscosity improver agents are added only when the composition is to be applied to a ceiling surface, a vertical surface or an inclined surface).

Furthermore, Kobayashi teaches that ratio of mixing solutions A and B is arbitrary, but the concentration of solution A (hydrogen peroxide) after mixing is between 0.3 to 30 wt%, preferably 0.5 to 6.0 wt%, and the concentration of dicyandiamide (one component of solution B) is between 2 to 20 wt% and the concentration of the builder in the mixture is in the range of 0.05 to 10.0 wt% (the other component of solution B). For example, one embodiment composition of Kobayashi is as follows: in a 100 gram sample there is 30 grams of hydrogen peroxide, 20 grams of dicyandiamide, 10 grams of inorganic builder, sodium silicate (col.3, line 3 and lines 40-41), 20 grams of ethanol (col.4, line 34) and 20 grams water (col.2, lines 25-27, examples 1-10), adding up to total mass of 100 grams. Using the density values of the respective components at 20 °C, the

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following calculations are: hydrogen peroxide (30wt% is equal to 25v% that is calculated using the density of hydrogen peroxide at 20°C to be 1.4 g/cm³); dicyandiamide (20 wt% is equal 17 v% that is calculated using the density of dicyandiamide at 20°C to be 1.400 g/cm³); inorganic builder sodium silicate (10 wt% is equal 5 v% that is calculated using the density of sodium silicate at 20°C to be 2.4 g/cm³); ethanol (20 wt% is equal to 30 v% that is calculated using the density of ethanol at 20°C to be 0.79 g/cm³); and water (20 wt% of water is equal to 23 v% that is calculated using the density of water at 20°C to be 1.0 g/cm³). As to the limitation that the flash-dry disinfectant composition is able, once applied onto an inanimate surface to be disinfected, to flash vaporize so as to leave an essentially dry surface having the anti-microbial agent deposited thereon within 10 minutes, since compositions of the scope claim 52 and the disclosure of Kobayashi are physically the same, then both compositions have the same properties. That is depending upon the applied amount of Kobayashi's composition to inanimate surfaces, it is capable of drying within 10 minutes leaving an essentially dry surface having the anti-microbial agent deposited thereon (see MPEP 2112.01, II). As to the concentration range of ethanol, Kobayashi discloses that ethanol can be added to the composition at 20 Wt% (equivalent to 30 v%) so that the composition is stabilized at high or low temperatures. It would have been obvious to one of ordinary skill in the art to optimize the amount of ethanol (stabilizer) when the composition is applied to heated surfaces of higher temperatures, in order to insure that the required minimum amount of ethanol is present in the composition upon contact with a heated surface due to evaporation of the composition.

Kobayashi does not specifically teach spraying his composition in an aerosol form and is silent with regard that his flash-dry disinfectant composition is able, once sprayed in aerosol form onto an inanimate surface to be disinfected, to flash vaporize to leave an essentially dry surface having the anti-microbial agent deposited thereon within 10 minutes. Petri discloses a disinfecting composition that includes hydrogen peroxide (page 3, numbered lines 44-45), ethanol (page 9, numbered line 23) and water (page 5, numbered lines 45-46) where no visible residues are left onto the treated surface (page 10, numbered lines 12-13) such that one of ordinary skill in the art would recognize that the surfaces treated with Petri's composition are essentially dry after a certain amount of time. Petri dispenses his composition in fine liquid droplets (considered as aerosol) using spray dispensers (page 9; see the section for packaging form of the compositions), since using such dispensers result in applying the composition uniformly to a relatively large area of a surface to be disinfected (page 2, numbered line 58 and page 3, numbered lines 1-2). One of ordinary skill in the art would recognize that placing Kobayashi's composition into Petri's dispenser would result upon spraying the composition onto an inanimate surface in having the composition completely dries within 10 minutes or less, while leaving the anti-microbial agent deposited thereon, because compositions of the scope claim 80 and the disclosure of Kobayashi are physically the same, then both compositions have the same properties (see MPEP 2112.01, II). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the composition in Kobayashi with the spray dispenser since using such dispensers result in applying the composition uniformly to a

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relatively large area of a surface to be disinfected as explained by Petri (page 2, numbered line 58 and page 3, numbered lines 1-2).

Regarding claims 83-84 and 92-93, Kobayashi method provides a bleach-sterilizing composition (col.1, lines 6-11) that includes an alkanol of formula ROH wherein R is a group containing 1 to 6 carbon atoms such as the compound ethanol (col.4, line 36) and wherein hydrogen peroxide is present at a value of 15 v% (col.2, lines 25-27, for example, 20 wt% of hydrogen peroxide is equal to 15 v% that is calculated using the density of hydrogen peroxide at 20°C to be 1.4 g/cm³).

Regarding claim 90, a one embodiment composition of Kobayashi is as follows: in a 100 gram sample there is 30 grams of hydrogen peroxide, 20 grams of dicyandiamide, 10 grams of inorganic builder, sodium silicate (col.3, line 3 and lines 40-41), 20 grams of ethanol (col.4, line 34) and 20 grams water (col.2, lines 25-27, examples 1-10), adding up to total mass of 100 grams. Using the density values of the respective components at 20 °C, the following calculations are: hydrogen peroxide (30wt% is equal to 25v% that is calculated using the density of hydrogen peroxide at 20°C to be 1.4 g/cm³); dicyandiamide (20 wt% is equal 17 v% that is calculated using the density of dicyandiamide at 20°C to be 1.400 g/cm³); inorganic builder sodium silicate (10 wt% is equal 5 v% that is calculated using the density of sodium silicate at 20°C to be 2.4 g/cm³); ethanol (20 wt% is equal to 30 v% that is calculated using the density of ethanol at 20°C to be 0.79 g/cm³); and water (20 wt% of water is equal to 23 v% that is calculated using the density of water at 20°C to be 1.0 g/cm³).

Response to Arguments

9. Applicant's arguments filed on 4/7/08 have been fully considered but they are not persuasive.

On pages 5-6 of the Remarks section; Applicant argues that the tables corresponding to examples 1, 4, 8, and 9 clearly show that the surface is completely dry within 5 minutes and that the sterilizing efficacy of the solution at the 5 minutes time point is 100% and that the provided final three paragraphs of the specification clearly indicate that at 5 minutes, all the surfaces are left dry.

The examiner disagrees. The specification does not show or teach that the surface is completely dry within 5 minutes. Furthermore, the specification does not teach that the disinfectant composition flash vaporized so as to leave an essentially dry surface having the anti-microbial agent deposited thereon within 5 minutes or within 10 minutes either. The tables discussed show very specific results for very specific concentrations of composition. In no way do they represent the broad recitation of components and times recited in the claims. Applicant should also note that a table entry of "dry" at 5 minutes does not clearly support a recitation of "to flash vaporize so as to leave an essentially dry surface having the antimicrobial agent deposited thereon within 10 minutes."

On pages 7-11 of the Remarks section; Applicant argues that there is no indication that a bleaching agent is tantamount to a flash-dry composition; that ethanol is added to prevent precipitation of dicyandiamide; that there is no indication or suggestion that ethanol should be added to the solution containing hydrogen peroxide, which is subsequently mixed with the first solution containing dicyandiamide; that the

volume % of ethanol would thereby be lower than the amount indicated in the specification of Kobayashi, which refers only to the solution containing dicyandiamide; that it is clear that the phrase "theses additives" is not referring to the hydrotropic agent but rather to "detergent additives such as urea"; that the examiner did not consider in making the calculations that the two solutions are being combined, thus even lowering the percentage of ethanol in the solution; and that Kobayashi's composition would not be able to function as a flash-dry composition, since the composition must have an ethanol content of under 25% by volume.

Kobayashi discloses an aqueous liquid flash-dry disinfectant composition where the ratio of mixing solutions A and B is arbitrary, but the concentration of solution A (hydrogen peroxide) after mixing (meaning in the diluted composition of A and B) is between 0.3 to 30 wt%, preferably 0.5 to 6.0 wt%, and the concentration of dicyandiamide (one component of solution B) is between 2 to 20 wt% and the concentration of the builder in the mixture is in the range of 0.05 to 10.0 wt% (the other component of solution B). The example provided by the examiner incorporates concentration values after mixing as shown above. For example, see the concentration of hydrogen peroxide after mixing, or the concentration of the builder component after mixing, or the concentration of dicyandiamide in the mixture (col.3, lines 35-36) as well. Based on the disclosed concentration values of hydrogen peroxide, the builder, and dicyandiamide in the mixture, the concentration of ethanol in the mixture falls within the claimed range. As to the limitation that the flash-dry disinfectant composition is able, once applied onto an inanimate surface to be disinfected, to flash vaporize so as to

leave an essentially dry surface having the anti-microbial agent deposited thereon within 10 minutes, since compositions of the scope claim 52 and the disclosure of Kobayashi are physically the same, then both compositions have the same properties. That is depending upon the applied amount of Kobayashi's composition to inanimate surfaces, it is capable of drying within 10 minutes leaving an essentially dry surface having the anti-microbial agent deposited thereon.

In addition, Petri discloses a disinfecting composition that includes hydrogen peroxide, ethanol, and water where no visible residues are left onto the treated surface (page 10, numbered lines 12-13) such that one of ordinary skill in the art would recognize that the surfaces treated with Petri's composition are essentially dry after a certain amount of time. Petri dispenses his composition in fine liquid droplets (considered as aerosol) using spray dispensers, since using such dispensers result in applying the composition uniformly to a relatively large area of a surface to be disinfected (page 2, numbered line 58 and page 3, numbered lines 1-2). As such one of ordinary skill in the art would recognize that placing Kobayashi's composition into Petri's dispenser would result upon spraying the composition onto an inanimate surface in having the composition completely dries within 10 minutes or less, while leaving the anti-microbial agent deposited thereon, because compositions of the scope claim 80 and the disclosure of Kobayashi are physically the same, then both compositions have the same properties.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MONZER R. CHORBAJI whose telephone number is (571)272-1271. The examiner can normally be reached on M-F 9:00-5:30.

11. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jill Warden can be reached on (571) 272-1267. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jill Warden/
Supervisory Patent Examiner, Art Unit 1797

/M. R. C./